

### **DETAILED ACTION**

1. This Office action for U.S. Patent Application 10/755,429 is responsive to communications filed 7 October 2009, in reply to the Final Rejection of 7 April 2009.

#### ***Allowable Subject Matter***

2. Claims 2–12, 14–25, 27, and 28 are allowed.

3. The following is an examiner's statement of reasons for allowance: Claims 9 and 23, previously indicated as allowable but objected to as dependent on rejected claims, have been amended to be in independent form. Likewise, Claims 27 and 28 are amended to incorporate the material indicated as allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

#### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Application Publication 2001/0014121 A1 (Kaye et al.) teaches a video encoder that determines a demanded bit rate according to spatial and temporal activity within each current picture, and adjusts the demanded rate according to special conditions of the picture. U.S. Patent Application Publication

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2004/023150 A1 (Chang) teaches a quantization adjustment method in a VBV-enabled encoder, basing the adjustment on a bit budget and the activity level for a current picture. U.S. Patent Application publication 2006/0088099 A1 (Gao et al.) teaches a video encoder that adjusts bit allocation to I, P, and B pictures in a GOP according to complexities of the I, P, and B pictures.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David N. Werner whose telephone number is (571)272-9662. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/D. N. W./  
Examiner, Art Unit 2621

/Dave Czekaj/  
Primary Examiner, Art Unit 2621